

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Daniel F. Cabana	ATTY DKT NO.: P-3854.4
TITLE: Adjustable Back Support Belt Brace System and Removable, Adjustable Suspension System	

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☒ original
☐ design
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following three items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION or CIP.

- ☐ divisional
☐ continuation
☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION: ADJUSTABLE BACK SUPPORT BELT BRACE SYSTEM AND REMOVABLE, ADJUSTABLE SUSPENSION SYSTEM

SPECIFICATION IDENTIFICATION

the specification of which: *(complete (a), (b) or (c))*

- (a) ☒ is attached hereto
(b) ☐ was filed on _____ as Serial No. _____
☐ Express Mail No. _____, as Serial No. not yet known, and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. PCT/US9 / / filed on __/__/__ and as amended under PCT Article 19 on __/__/__ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information:

- ☒ which is material to the patentability as defined in 37, Code of Federal Regulations, § 1.56.

(also check the following, if desired)

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.
(e) ☐ such applications have been filed as follows:

NOTE: Where item (e) is entered above and the International Application which designated the U.S. claimed priority, check item (c), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS
U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete "Added Pages to Combined Declaration and Power of Attorney for Divisional, Continuation, or C-I-P Application" for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(List name and registration number.)*

Ted D. Lee	Registration No. 25,819
Michelle L. Evans	Registration No. 44,673
John C. Cave	Registration No. 48,084
Faith S. Fillman	Registration No. 52,891

(check the following item, if applicable)

☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

Ted D. Lee
GUNN & LEE, P.C.
700 North St. Mary's Street, Suite 1500
San Antonio, Texas 78205-3596

DIRECT TELEPHONE CALLS TO:

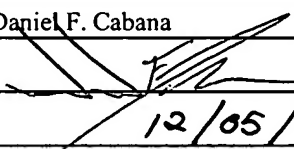
(Name and Telephone Number)

Ted D. Lee
(210) 886-9500

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to fine not more than \$10,000 or imprisonment not more than five years, or both, under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of this application or document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom; and to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, this paper is not being presented for any purpose, such as to harass someone or to cause unnecessary delay or needless increase in the cost of prosecution before the Office; the claims and other legal contentions herein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; the allegations and other factual contentions have evidentiary support after a reasonable opportunity for further investigation or discovery; and the denials of factual contentions are warranted on the evidence, or if specifically so identified, are reasonably based on a lack of information or belief.

SIGNATURES

FULL NAME OF SOLE/FIRST INVENTOR	Daniel F. Cabana
INVENTOR'S SIGNATURE	
DATE OF EXECUTION	12/05/03
COUNTRY OF CITIZENSHIP	USA
RESIDENTIAL ADDRESS	20810 Glen Cove, Garden Ridge, Texas 78266
POST OFFICE ADDRESS	20810 Glen Cove, Garden Ridge, Texas 78266

FULL NAME OF SECOND INVENTOR	
INVENTOR'S SIGNATURE	
DATE OF EXECUTION	
COUNTRY OF CITIZENSHIP	
RESIDENTIAL ADDRESS	
POST OFFICE ADDRESS	

*CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)
FORM A PART OF THIS DECLARATION*

- [] Signature for subsequent joint inventors. Number of pages added: ____
- [] Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.
Number of pages added: ____

- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.45. Number of pages added: ____.
- ☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47).
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application. Number of pages added: ____
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item:

☒ This declaration ends with this page.